

U.S. Department of Justice
United States Marshals Service

Case 1:05-cr-00152-MHT-CSC Document 35

Filed 08/29/2005 Page 1 of 3

PROCESS RECEIPT AND RETURN

See Instructions for "Service of Process by the U.S. Marshal" on the reverse of this form

PSN L

PLAINTIFF UNITED STATES OF AMERICA	COURT CASE NUMBER 1:05cr152-T
DEFENDANT HOUSTON MIKE HOLLY and JOHNNIE GRIMES d/b/a GRIMES GROCERY	TYPE OF PROCESS LIS PENDENS
SERVE ↓ AT	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN COFFEE COUNTY JUDGE OF PROBATE
	ADDRESS (Street or RFD, Apartment No., City, State, and ZIP Code) POST OFFICE BOX 311247 - ENTERPRISE, ALABAMA 36331

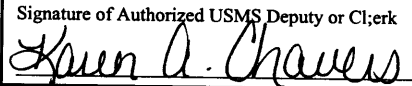
SEND NOTICE OF SERVICE TO REQUESTER AT NAME AND ADDRESS BELOW:	Number of process to be served with this Form - 285	1
John T. Harmon United States Attorney's Office Assistant United States Attorney Post Office Box 197 Montgomery, Alabama 36101-0197	Number of parties to be served in this case	
	Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Address, All Telephone Numbers, and Estimated Times Available For Service)

2005 JUL 5 PM 5:02
U.S. MARSHAL SERVICE
MONTGOMERY, ALABAMA

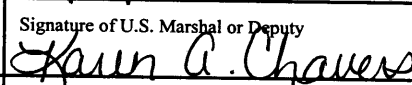
Signature of Attorney or other Originator requesting service on behalf of: 	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER (334) 223-7280	DATE JULY 5, 2005
--	---	------------------------------------	----------------------

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY - DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process No. _____	District of Origin No. <u>2</u>	District to Serve No. <u>2</u>	Signature of Authorized USMS Deputy or Clerk 	Date <u>7/5/05</u>
---	----------------------------	------------------------------------	-----------------------------------	--	-----------------------

I hereby certify and return that I ☐ have personally served, ☒ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc. at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below).

Name and title of individual served (If not shown above).				<input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode.	
Address (complete only if different than shown above)				Date of Service <u>8/17/05</u>	Time <u>12:37</u> <u>pm</u>
				Signature of U.S. Marshal or Deputy 	
Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges <u>0</u>	Advance Deposits	Amount Owed to US Marshal or RETURNED AND FILED
Amount or Refund					

REMARKS:

served by case agent.
Received recorded copy 8/17/05

AUG 26 2005

CLERK
U. S. DISTRICT COURT
MIDDLE DIST. OF ALA.

OFFREC 323 1
Recorded In Above Book and Page
08/15/2005 10:57:36 AM
William O. Gammill
Judge
Coffee County, AL

RECEIVED

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

2005 AUG 17 P 12:37

UNITED STATES OF AMERICA)
UNITED STATES)
MARSHALS SERVICES) CR. NO. 1:05cr152-T
MIDDLE ALABAMA)
HOUSTON MIKE HOLLY, and)
JOHNNIE GRIMES d/b/a)
GRIMES GROCERY)

NOTICE OF LIS PENDENS/LEVY

GRANTEE: Johnny P. Grimes (Owner of Record)

TO: ALL PERSONS WHO MAY CLAIM BY, THROUGH, OR UNDER THE
DEFENDANT AND/OR THE GRANTEE any interest in the real
property described in this Notice of Lis Pendens/Levy.

NOTICE IS HEREBY GIVEN, pursuant to the provisions of Code of
Alabama (1975) Sections 35-4-131 and 132, as made applicable hereto
by the provisions of Title 28, United States Code, Section 1964,
that on June 29, 2005, an INDICTMENT was returned by a Grand Jury
sitting in the Middle District of Alabama charging in the
FORFEITURE ALLEGATION of the INDICTMENT, pursuant to Title 21,
United States Code, Section 853, that the following described real
property known as Grimes Grocery, located at 5138 County Road 636,
Enterprise, Coffee County, Alabama, together with all appurtenances
and improvements thereto, has become, and is condemned and
forfeited to, the United States of America under the provisions of
Title 21, United States Code, Section 853:

Parcel Number 003.000, County 19, Township 18, Area 02,
Section 09, 1/4 0, Block 000 as shown on the Parcel
Summary for said tract by Coffee County, Alabama.

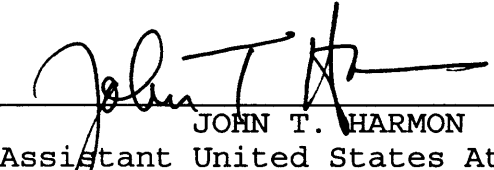
2005 JUL -5 PM 5:02

Recording Fee 15.00, TOTAL 15.00

Said property belonging to Johnny P. Grimes as shown by Warranty Deed dated December 30, 1992, and recorded at Book 113, Page 48 in the Land Records of Coffee County, Alabama.

FURTHER NOTICE IS HEREBY GIVEN that the provisions of Title 21, United States Code, Section 853(k) prohibit any claimant to the described property from (1) intervening in the trial or appeal of the criminal case, or (2) commencing an action at law or equity against the United States concerning the validity of any alleged interest subsequent to the indictment, except as provided by the provisions of Title 21, United States Code, Section 853(n), following the entry of any order of forfeiture.

Done this 5th day of July, 2005.


JOHN T. HARMON
Assistant United States Attorney

Address of Counsel:

United States Attorney's Office
Middle District of Alabama
One Court Square, Suite 201 (36104)
Post Office Box 197
Montgomery, Alabama 36101-0197
Telephone: (334) 223-7280
Facsimile: (334) 223-7560
E-mail: John.Harmon@usdoj.gov

RECEIVED
2005 AUG 17 P 12:37
UNITED STATES
MARSHALS SERVICES
MIDDLE ALABAMA

OFFREC 323 2